

Idaho Department of Fish and Game
Nonbiological Fisheries Rules Proposed for 2012
Commission Approved for Release 5/19/2011

After reviewing the public and staff input, IDFG is recommending the following rule changes be adopted and finalized at the July 2011 Commission Meeting. Items to be removed are in green and additions to IDAPA to implement the changes are shown in yellow.

1) Rule Change: Add anadromous Coho and sockeye salmon to IDAPA Section 13.01.11.500. and make the section generically apply to all ocean-going salmon. **Rationale:** In the event a harvestable surplus of ocean run Coho or sockeye return to Idaho, IDFG has rules in-place to offer a fishing season.

500. CHINOOK SALMON.

501. ANADROMOUS SALMON DEFINITIONS.

01. Chinook Salmon. Anadromous (ocean run) salmon of the species *Oncorhynchus tshawytscha* in the Snake River drainage below Hells Canyon Dam, the Salmon River drainage, and the Clearwater River drainage, (excluding lakes and the North Fork of the Clearwater River above Dworshak Dam), and the Boise River Drainages. (3-2-10)

02. Coho Salmon. Anadromous (ocean run) salmon of the species *Oncorhynchus kisutch* in the Snake River drainage below Hells Canyon Dam, the Salmon River drainage, and Clearwater River drainage (excluding lakes and the North Fork of the Clearwater River above Dworshak Dam).

03. Sockeye Salmon. Anadromous (ocean run) salmon of the species *Oncorhynchus nerka* in the Snake River drainage below Hells Canyon Dam and the Salmon River drainage.

502. SALMON LICENSES AND PERMITS.

01. Licenses. Any person fishing for salmon, except those expressly exempt, must have in his or her possession a valid fishing license.
(4-6-05)

02. Permits. Any person fishing for, reducing to possession, or catching and releasing Chinook salmon must have a valid salmon permit in his or her possession. However, when a salmon is released, or a jack salmon is reduced to possession the angler is not required to make an entry on the permit. (4-6-05) When a Chinook salmon has been hooked, landed, and reduced to possession; the angler hooking the fish must immediately complete the following: (3-2-10)

- 2) **Rule Change.** Modify the definition of “Steelhead” in IDAPA 13.01.11.004.25. **Rationale:** current wording is confusing and staff feels it could be simplified.

Current definition: 25. Steelhead. Rainbow trout longer than twenty (20) inches in length in the Snake River drainage below Hells Canyon Dam, the Salmon River drainage (excluding lakes and the Lemhi and the Pahsimeroi rivers), and the Clearwater River drainage (excluding that portion above Dworshak Dam, and lakes). Rainbow trout longer than twenty (20) inches in length with the adipose fin clipped (as evidenced by a healed scar) are defined as steelhead in the Snake River from Hells Canyon Dam upstream to Oxbow Dam, and in the Boise River from its mouth upstream to Barber Dam.

Proposed definition: 25. Steelhead. Steelhead are defined as any rainbow trout longer than twenty (20) inches in rivers and streams in the Snake River drainage below Hells Canyon Dam, the Salmon River drainage, and the Clearwater River drainage (excluding that portion above Dworshak Dam). Rainbow trout longer than twenty (20) inches in length with the adipose fin clipped (as evidenced by a healed scar) are defined as steelhead in the Snake River from Hells Canyon Dam upstream to Oxbow Dam, and in the Boise River from its mouth upstream to Barber Dam.

- 3) **Rule Change.** Add the word “adult” to the salmon permit validation section of IDAPA.
Rationale: Clarify when an anadromous hatchery produced salmon needs to be noted on a salmon card.

503. Permit Validation.

When an adult salmon has been hooked, landed, and reduced to possession, the angler hooking the fish must immediately complete the following:

- 01. Permit.** Cut out and completely remove one (1) numbered notch from the permit. (3-20-97)
- 02. Number Code.** Look up the number code from the location code list in Subsection 403.02 of these rules and write it in the space provided. (4-6-05)
- 03. Date Entry.** Enter in the space provided, the month, and day the fish was caught. (3-20-97)

- 4) **Rule Change.** Allow the transport of anadromous hatchery fish with heads and tails removed in IDAPA 13.01.11.404 and 504. **Rationale:** Reduce public confusion over transport rules and to make it easier for the public to transport harvested anadromous hatchery fish.

Steelhead 13.01.11

404. IDENTIFICATION OF SPECIES IN POSSESSION AND DURING TRANSPORTATION OR SHIPMENT.

Proposed wording: No person shall have in the field or in transit hatchery-produced anadromous steelhead trout from which the head or tail has been removed unless the following conditions are met: the fish has been recorded on the takers steelhead permit; the fish is processed and packaged with the skin naturally attached to the flesh including a portion with a healed, clipped, adipose fin scar; and it must be packaged in a manner that the number of fish harvested can readily be determined. No person shall process steelhead while still on the water and must wait until they are done fishing for the day. Any processed fish count towards an anglers possession limit.

Salmon 13.01.11

504. IDENTIFICATION OF SPECIES IN POSSESSION AND DURING TRANSPORTATION OR SHIPMENT.

Proposed wording: No person shall have in the field or in transit any hatchery-produced anadromous salmon from which the head or tail has been removed unless the following conditions are met: the fish has been recorded on the takers salmon permit; the fish is processed and packaged with the skin naturally attached to the flesh including a portion with a healed, clipped, adipose fin scar; and it must be packaged in a manner that the number of fish harvested can readily be determined. No person shall process salmon while still on the water and must wait until they are done fishing for the day. Any processed fish count towards an anglers possession limit.

5) **Rule Change:** Clarify/simplify the definition of a “Fishing Contest” in IDAPA 13.01.05.10.02.

Rationale: The current definition is confusing to the public and staff.

Current Definition: 02. Fishing Contest. Any fishing event, which is based on the capture of an individual fish or the size or number of fish and total prize value is greater than one thousand dollars (\$1,000); or the individual entry fee is greater than twenty-five dollars (\$25); or the number of boats is greater than ten (10); or the number of individual contestants is greater than twenty (20); or there is a live fish weigh-in.

Proposed Definition: Fishing Contest – an organized event that: **1)** Has a live-fish weigh-in; or **2)** awards cash or prizes of \$1,000 or more based on number, size, or species of fish captured; or **3)** is expected to draw/have more than 20 participants. Events organized wholly for youth under the age of 14 are excluded from needing a Fishing Contest Permit.

6) **Rule Change.** Allow the use of a gaff hook for retrieval of nongame fish harvested with archery equipment in IDAPA 13.01.11.201.06. **Rationale:** Where lethal methods of fishing (archery or spear) are used to harvest nongame fish, it would make it easier for the public to remove large fish (20+ lbs.) from the water and place in the boat.

06. Gaff Hook. It is unlawful to land fish of any species with a gaff hook except through a hole cut or broken in the ice in waters which have no length restrictions or harvest closures for that species **or when landing nongame fish species taken with archery equipment.**

7) **Rule Change.** Remove mountain sucker from the list of fish species that can be commercially harvested under IDAPA 13.01.12.010.02. **Rationale:** Little is currently known about mountain sucker populations in Idaho. There is concern that commercial fishing for this species in some waters may impact populations.

02. Commercial Fish Species.

Except as permitted by the Director of the Department of Fish and Game under Subsection 100.03 of this rule, only the following fish species may be taken for commercial purposes: (4-6-05)

- a. Bridgelip sucker -- *Catostomus columbianus*. (7-1-93)
- b. Common carp -- *Cyprinus carpio*. (4-2-08)
- c. Chiselmouth -- *Acrocheilus alutaceus*. (4-2-08)
- d. Fathead minnow -- *Pimephales promelas*. (7-1-93)
- e. Goldfish -- *Carassius auratus*. (7-1-93)
- f. Lake trout -- *Salvelinus namaycush*. (4-2-08)
- g. Lake whitefish -- *Coregonus clupeaformis*. (4-2-08)
- h. largescale sucker -- *Catostomus macrocheilus*. (4-2-08)
- i. Longnose dace -- *Rhinichthys cataractae*. (7-1-93)
- ~~j. Mountain sucker -- *Catostomus platyrhynchus*. (7-1-93)~~
- k. Northern pikeminnow -- *Ptychocheilus oregonensis*. (4-2-08)
- l. Peamouth -- *Mylocheilus caurinus*. (7-1-93)
- m. Redside shiner -- *Richardsonius balteatus*. (7-1-93)
- n. Speckled dace -- *Rhinichthys osculus*. (7-1-93)
- o. Tench -- *Tinca tinca*. (7-1-93)
- p. Tui chub -- *Gila bicolor*. (7-1-93)
- q. Utah chub -- *Gila atraria*. (7-1-93)
- r. Utah sucker -- *Catostomus ardens*. (7-1-93)

- 8) **Rule Change.** Change the name for leatherside chub (*Gila copei*) to northern leatherside chub (*Lepidomeda copei*) and add bluehead sucker (*Catostomus discobolus*) to the list of Protected Nongame Species in IDAPA 13.01.06.200.05. **Rationale:** Recent research indicates that leatherside chub is composed of two distinct species and this is supported by genetic analysis. The Northern leatherside chub inhabits the upper Snake River and Bear River basins while the Southern leatherside chub (*L. aliciae*) is found in Utah Lake and the Sevier River drainage in Utah.

Rationale: Bluehead sucker are an uncommon nongame fish found in the upper Snake River and Bear River basins of Idaho. It is estimated they occupy less than half of their historic range. There is an ongoing and coordinated range-wide conservation effort for this species.

05. Fish. (4-6-05)

- a. Bear Lake sculpin -- *Cottus extensus*. (4-6-05)
- b. Northern leatherside chub (*Lepidomeda copei*)
- c. Sand roller -- *Percopsis transmontana*. (4-6-05)
- d. Shoshone sculpin -- *Cottus greeniei*. (4-6-05)
- e. Wood River sculpin -- *Cottus leiopomus*. (4-6-05)
- f. Bluehead sucker (*Catostomus discobolus*)

- 9) **Rule Change.** Remove the term "Bait Restricted in IDAPA 13.01.11.201. **Rationale:** Definition is no longer used in Fishing Rules.

~~**02. Bait Restricted.** It is unlawful to fish with bait in waters designated as artificial flies and lures only, fly fishing only, or no bait.~~

10) Rule Change. In the 2011 – 2012 Fishing Rules there are waters listed as “no bait allowed” but anglers can use barbed hooks. Modify IDAPA 13.01.11.201 to reflect the change in rules. **Rationale:** Statement is no longer correct. Barbed hooks are allowed in some “no bait allowed” waters.

03. Barbed Hooks. It is unlawful to fish for sturgeon with barbed hooks. It is unlawful to fish for or take steelhead or Chinook salmon with barbed hooks in the Clearwater River drainage, Salmon River drainage, and Snake River drainage below Hells Canyon Dam. It is unlawful to fish in no-bait waters with barbed hooks.

11) Rule Change. Delete reference to general stream season in IDAPA 13.01.11.300. **Rationale:** Current seasons are set by region and default is “open year-around.”

300.03. Rivers and Streams. Saturday of Memorial Day Weekend through November 30.

12) Rule Change. Delete reference to general whitefish season in IDAPA 13.01.11.400. **Rationale:** Stream seasons are open year-around. The general whitefish season has been eliminated in the 2011 – 2012 Fishing Rules.

04. General Whitefish Season. Fishing gear or bait restrictions which apply to a river or stream section during the season open for other species apply during the whitefish season.

January 1 – March 31 and December 1 – December 31

NOTE: Whitefish or brook trout may also be taken in any waters during seasons open for other species, including reduced bag limit or size restricted waters, closed to harvest, and catch-and-release waters. (4-6-05)

New Definitions and Clean-up of Existing Definitions in IDAPA 13.01.11.004 Due to New Terminology in 2011 -2012 Fishing Rules

For the purposes of this chapter, the following terms will be defined as follows: (3-20-97)

01. Artificial Fly. Any fly made entirely of rubber, wood, metal, glass, feather, fiber, or plastic by the method known as fly tying. (3-20-97)

02. Artificial Lure. Any device made entirely of rubber, wood, metal, glass, feather, fiber, or plastic with hook or hooks attached. No bait of any kind may be used with artificial lures when fishing artificial flies and lures only waters. (3-20-97) **Rationale: We no longer use the term “artificial fly and lure, only” waters.**

3. Bag Limit. The maximum number of fish that may be lawfully taken by any one (1) person in one (1) day. The term “bag limit” shall be construed to be an individual, independent effort and shall not be interpreted in any manner as to allow one (1) individual to take more than his “bag limit” toward filling the “bag limit” of another. The bag and possession limits are equal except for salmon and steelhead. (3-20-97)

04. Bait. Organic substances, other than rubber, wood, feather, fiber, or plastic, attached to a hook to attract fish. Bait includes insects, insect larvae, worms, dead fish, fish parts, any other animal or vegetable matter, or scented synthetic materials. (Live fish prohibited.) (See: Subsection 004.19 – NO BAIT.) (3-20-97) **Rationale:** The definition of “live bait” was removed in 2010.

05. Barbless Hook. A fish hook without barbs or on which barbs have been bent completely closed. (3-20-97)

06. Catch-and-Release. Effort, by permitted methods, to catch or attempt to catch a fish or species of fish is lawful, with the restriction that any fish so caught must be released immediately, unharmed, back to the water. NOTE: Species of fish not specifically listed as catch-and-release may be harvested under their appropriate limits. (3-30-07)

07. Confluence of a Stream or River. The point where two (2) rivers or streams come together. (3-20-97)

Diversion – A man-made structure designed to change the direction of flowing water in a stream.

Diversion Pond – A man-made pond holding water taken from a stream or reservoir. The diversion pond may be connected to the stream or reservoir by an open ditch or pipe.

Drainage – All water flowing into a common river or stream system, either above or below ground, due to area geography.

08. Electric Motors Only. When fishing waters listed “electric motors only,” gas (internal combustion) motors may be attached to the boat; but use of the gas motor is prohibited. (3-20-97)

09. Fishing. Any effort made to take, kill, injure, capture, or catch any fish, crayfish, or bullfrog. (3-20-97)

Fish Trap – Any man-made structure designed to capture fish.

Fish Weir – Any man-made structure placed in a water body to delay or divert migrating fish.

Flat Water – Water where there is no observable direction of flow.

10. Float Tube. A floating device that suspends a single occupant, from the seat down, in the water, and is not propelled by oars, paddles, or motors. (4-6-05)

11. Fly Fishing. Fishing with a fly rod, fly reel, fly line, and an artificial fly. (x-xx-12)

12. Game Fish. Brook, brown, bull (Dolly Varden), cutthroat, golden, lake (Mackinaw), rainbow (including steelhead), splake and sunapee trout; trout hybrids; Chinook, coho, Atlantic and kokanee (blueback) salmon; grayling; whitefish; cisco; crappie; perch; bass; catfish; bullheads; sunfish; sturgeon; northern pike; tiger muskie; walleye and sauger; and burbot (ling). Bullfrogs and crayfish are also defined as game fish. (4-6-05)

General Rules – The seasons, gear, and bag limits adopted for the IDFG Region where you are fishing.

13. Harvest. Reduce a fish to possession. (3-20-97)

14. Hook. A bent wire device, for the catching of fish, to which one (1), two (2), or three (3) points may be attached to a single shank. Up to five (5) hooks per line may be used, except where specifically prohibited. (3-20-97)

Hybrid Fish – The offspring of two different species or subspecies of fish.

15. Ice Fishing. Fishing through an opening broken or cut through the ice. (3-20-97)

16. Length. The length between the tip of the nose or jaw and the tip of the tail fin. (3-20-97)

Limit is 0 –fishing is allowed but the fish species listed in the rule must be released after landing and may not be reduced to possession.

17. Motor. Includes electric and internal combustion motors. (See Subsection 004.09 - Electric Motors Only.) (3-20-97)

18. Mouth of River or Stream. The place where a river or stream enters a larger body of water. (3-20-97)

19. No Motors. Fishing from a boat with a motor attached is prohibited. (3-20-97)

20. Possession Limit. Maximum number of fish that may be lawfully in possession of any person. "Possession limit" shall apply to fish while in the field or being transported to the final place of consumption or storage. (3-20-97)

21. Reservoir. The flat water level existing at any time within a reservoir basin. Unless noted otherwise, a stream flowing through the drawdown portion of a reservoir is not considered part of the reservoir. (3-20-97)

22. Season Limit. The maximum number of fish that may be lawfully taken in any declared season. (3-20-97)

Section – An area of a river, stream or reservoir between specific boundary locations.

23. Sliding Sinker. A method of attaching a sinker to a device that slides freely on the main line. The line used to attach the sinker to the sliding device must be of lower breaking strength than the main line. (3-2-10)

24. Snagging. Taking or attempting to take a fish by use of a hook or lure in any manner or method other than enticing or attracting a fish to strike with, and become hooked in, its mouth or jaw. Game fish which are hooked other than in the jaw or mouth must be released immediately. (4-6-05)

Special Rule Waters – Any water with a gear, season, or bag limit rule that is different from the regional general rules.

25. Steelhead. Steelhead are defined as any rainbow trout longer than twenty (20) inches in rivers and streams in the Snake River drainage below Hells Canyon Dam, the Salmon River drainage, and the Clearwater River drainage (excluding that portion above Dworshak Dam).

Rainbow trout longer than twenty (20) inches in length with the adipose fin clipped (as evidenced by a healed scar) are defined as steelhead in the Snake River from Hells Canyon Dam upstream to Oxbow Dam, and in the Boise River from its mouth upstream to Barber Dam. (3-2-10)

26. Tributary. A stream flowing into a larger stream or lake. (3-20-97)

27. Trout. Includes the following trout family fishes: brown, cutthroat, golden, grayling, lake (Mackinaw), rainbow, splake, Sunapee; trout hybrids; and the landlocked forms of Chinook, coho, Atlantic and kokanee (blueback) salmon. (3-30-07)

28. Unattended Line. A line not under the immediate surveillance by the angler. (3-20-97)

29. Unprotected Nongame Fish. All fish species other than game fish and protected nongame fish. (3-30-07)

Upstream – Moving from a lower elevation towards a higher elevation point in the same stream.